



TOWN OF KNIGHTDALE
P L A N N I N G D E P A R T M E N T

www.knightdalenc.gov

950 Steeple Square Court
Knightdale, NC 27545
(v) 919.217.2241
(f) 919.217.2249

ORD #11-07-05-002
AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE
OF THE TOWN OF KNIGHTDALE,
REGARDING BUILDING CODE EXEMPTIONS FOR FARM ACCESSORY STRUCTURES

WHEREAS, the Town of Knightdale has received a petition to amend Chapter 1 of the Unified Development Ordinance in regard to making a notation of the State Building Code exemptions afforded to the Town of Knightdale for accessory structures associated with bona fide farms as codified in Session Law 2011-34; and

WHEREAS, the Town of Knightdale Unified Development Ordinance Section 15.15 establishes uniform procedures for amending the text of the Ordinance; and

WHEREAS, the proposed zoning text changes do not specifically advance a stated goal or objective of the Comprehensive Plan, but they do support the portion of the overall plan vision for preserving some of the rural character, such as farms, by removing an increase in building fees as the result of farms being transferred from the county's planning jurisdiction to the Town's;

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Knightdale, North Carolina:

SECTION 1. That the Unified Development Ordinance of the Town of Knightdale Code be amended to read as follows (*editing notes in parenthetical italics*):

(Add new Section 1.10 and bump others down, updating table of contents and index accordingly.)

Section 1.10 North Carolina State Building Code – Bona Fide Farm Exemption

Pursuant to Session Law 2011-34 of the NC General Assembly, it is hereby noted that the Town has exercised its discretion to grant an accessory building of a 'bona fide farm', as defined by G.S. 153A-340(b), the same exemption from the building code as it would have under county zoning as provided by Part 3 of Article 18 of Chapter 153A of the General Statutes.

(Add new Subsection 4.6F as a result of adding Section 1.10, updating table of contents and index accordingly.)

Section 4.6F Bona Fide Farm Exemption: An accessory building of a 'bona fide farm', as defined by G.S. 153A-340(b), is exempt from the Building Code as stated in Section 1.10.

SECTION 2. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 3. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 4. That this ordinance has been adopted following a duly advertised public hearing of the Town Council and following review and recommendation by the Land Use Review Board.

SECTION 5. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Knightdale Town Code.

SECTION 6. That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 5th day of July, 2011.

Russell B. Killen, Mayor

ATTEST:

Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

Clyde Holt, III; Town Attorney